

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL051			
<b>Name of Service:</b>	Rivervalley Early Learning Centre			
<b>Address of Service:</b>	Rivervalley Community Centre, Rivervalley, Swords, Co. Dublin			
<b>Eircode:</b>	K67 T6T7			
<b>Name of Registered Provider:</b>	Arthur Browne			
<b>Service type:</b>	Sessional			
<b>Date of Inspection:</b>	09/05/2025			
<b>No of pre-school children:</b>	AM	32	PM	6
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15			
<b>Inspection undertaken by:</b>	Á Dunne			
<b>Title:</b>	Early Years Inspector			
<b>Authority to Inspect</b>				
The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).				
<b>Conditions if applicable</b>	Not Applicable			

### Description of service

Rivervalley Early Learning Centre Service was established in 2015 and operates as a sessional Early Years service providing preschool care and education to children aged from 2 years to 6 years.

The service is located in a community centre in Swords, north Dublin, there are two care rooms in the service namely the Rainbow room and the Sunshine room in addition to a sensory room which is available to the children from both care rooms to use. The service has access to an outdoor play area and to the large community centre sports hall in the premises on a daily basis. The service is registered to operate from 9.00am to 12 midday and 12:30pm to 3:30pm Monday to Friday and participates in the Early Childhood Care and Education scheme (ECCE) scheme

### Staffing

The Registered provider employs eight staff members to include the service manager, seven childcare staff who work directly with the children in the service. Two staff members are employed as part of the Access and Inclusion Model scheme and one staff member was employed in a supernumerary capacity under supervision in the service whilst participating in a Community Employment (CE) scheme and engaging in childcare training programmes. The registered provider oversees the running of the community centre but does not work directly with the children attending the pre-school service.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance, health, welfare and development of child, safety, premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the regulations 9, 11, 16, 19, 23, 25 and 26, however, on inspection additional non-compliance which posed a risk was identified under Regulation 8 – Notification of change in circumstances. These findings are outlined within the relevant regulation within this report.

A sampling process was used to assess compliance under Regulation 16 Record in relation to Preschool service (j), (k) and Regulation 23 Safeguarding, Health, Safety and Welfare of child. Regulation 11 Staffing levels was assessed across both rooms.

As a result, the scope of the inspection included both the Rainbow and Sunshine rooms.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

### Additional Information

An Immediate Action notice was issued to the service on the 9 May 2025 in relation to the Regulation 9 Management and recruitment.

On the 13 May 2025 the registered provider responded to the immediate action notice outlining the measures implemented within the service to address safety concerns. Please see details in the body of the inspection report.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the deputy person in charge, staff and children who were present and the registered provider who called to introduce themselves at 12pm on the day of the inspection.

### Part II - Registration and Register

#### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

*(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.*

#### Non -Compliance Information

(1) The service is currently registered operating hours as a morning sessional service 9am to 12pm and an afternoon 12.30pm to 3.30pm. On the day of inspection, the service was observed to operate the afternoon session from 12.45pm to 15.45pm with 6 children present in the afternoon sessional service. The service was operating outside the registered afternoon session operating hours.

#### Corrective & Preventive Action submitted by the Registered Provider

##### **Corrective and Preventive Action:**

(1) Change in Circumstances form submitted. Management has an awareness and understanding of the required process to prevent any future oversight.

##### **Supporting documentation submitted:**

(1) Copy of Change in Circumstances submitted

#### Summary Comment

The inspector has reviewed the action taken. The non-compliance identified under Regulation 8 has been adequately addressed. At time of publication the change in circumstances form was in progress.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

#### Compliance Information

- (1)
- (a) The registered provider ensured there was a designated person in charge and a named person to deputise as required.
  - (b) The designated person in charge was on the premises when the inspector arrived unannounced to the service and remained in the service for the duration of the inspection.
  - (c) There was a clear management structure in the service that identified the lines of authority and accountability in the service and the specific roles and responsibilities of each employee.

(2) The file of the registered provider and eight adults employed in the service were reviewed as part of the inspection.

The registered provider had two written references and ensured that

- (a) Two written and validated references were available for five adults from a past employer.  
One written and validated reference was available for two adults from a past employer.
- (b) Two written and validated reference was available for one adult from a source other than a past employer.  
One written and validated reference was available for two adults from a source other than a past employer
- (c) Garda vetting disclosures were available for nine adults. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (d) Police vetting was available for one adult who have lived outside of the State for longer than six months as an adult.
- (4) Documentation was available to show that the eight adults who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children and Youth Affairs.

### Non-Compliance Information

(2)(c) A Garda vetting disclosure was not available for one adult. As a result, an Immediate Action notice was issued to the person in charge on the 9 May 2025. A response was received from the deputy person in charge on the 13 May 2025 with the revised practices and procedures put in place to reduce the risk. This included documentary evidence of evidence of Garda Vetting Disclosure Application Form completed 13 May 2025 and the renewed Garda Vetting disclosure submitted 23 May 2025.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

(2)(c) The staff member was removed from the setting and new Garda vetting application was submitted. Once the renewed garda vetting was received, the staff member was returned to the childcare setting. Before commencement all new starter are unable to commence until the Employee Checklist is completed.

#### Supporting documentation submitted

(2)(c) Renewed Garda Vetting and Employee checklist.

### Summary Comment

The inspector has reviewed the action taken and evidence submitted. The non-compliance identified under Regulation 9 has been adequately addressed.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.*

#### Compliance Information

(1) There were an adequate number of adults working directly with the children, as there were seven adults working with 32 children for the morning session, and two adults working with six children for the afternoon session, ensuring ratios were maintained on the day of inspection.

(3) The minimum adult to child ratio was maintained throughout the inspection, as follows:

Room Name	Age profile	Morning
The Rainbow Room	3 years to 4 years	4 adults to 17 children
The Sunshine Room (Morning Session)	4 years to 5 years	3 adults to 15 children
The Sunshine Room (Afternoon Session)	3 years to 5 Years	2 adults to 6 children

with the deputy person in charge available in a supernumerary capacity to support staff where needed.

## Part IV – Information and Records

### Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

(h) details of attendance by each pre-school child on a daily basis;

(k) details of any accident, injury or incident involving a pre-school child attending the service.

#### Compliance Information

(1)(h) Details of attendance by each pre-school child on a daily basis was completed accurately in attendance record books, reflective of the children present and their time of arrival and departure from the service

#### Non-Compliance Information

(1)(k) On review of 15 accident and incident records available, the following information was not recorded:

- The date of birth of the child was not recorded on one form.
- The date of accident /incident or date of completion was not completed on one form.
- The parent’s signature and date of signature was not recorded on two forms to acknowledge being informed of the accident or incident.
- The date of the parent’s signature was not recorded on one form.
- The managers signature and date of signature was not recorded on 12 forms.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

(1)(k) Were possible incomplete sections have been updated. Implementation of four eye policy before ‘sign off’ going forward. Once signed a written copy is given to the parents, copy kept on child’s file and last one remains in accident / incident book.

##### Supporting documentation submitted

(1)(k) None

#### Summary Comment

The inspector has reviewed the action taken. The non-compliance identified under Regulation 16 has been adequately addressed.

### Part V - Care of Child in Pre-school Service

#### Regulation 19 - Health, welfare and development of child

*(1) A registered provider shall, in providing a pre-school service, ensure that-*

*(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and*

#### Compliance Information

##### Basic Needs:

- Lunchtime at 11.00am was observed as a relaxed and sociable event with children given time to sit at low tables appropriate to their ages. Children were observed to self-feed, but staff sat with the children and were on hand to help as required, supporting independence and wellbeing. The children's water bottles were available for the children to drink from.

##### Supporting Relationships:

- Language development was supported by the adults through conversation and singing.
- The inspectors observed the staff interacting warmly with the children, engaging positively, and supporting them with their care, work, and play.

##### Physical and Material Environment:

- The rooms were bright play spaces which enabled the children to explore their environment and play with materials.
- A range of play materials and equipment were present and suitable to the age and stage of development of the children attending each room nurturing children's independence, ability to make decisions, enabling exploration and develop their play opportunities.
- The furniture provided was low level and suitable to the needs and age of the children. There was a sufficient number of low tables and chairs to accommodate children whilst they played and ate in the classroom.
- Cosy areas with a soft mats and couches, and books for rest and relaxation were present.
- The children of both care rooms were provided with the opportunity of outdoor play time in the enclosed outdoor play area which consisted of a grass surface - the Sunshine room from 10am to 10.30 am and the Rainbow room 10.40am to collection time at 12pm.

### Non-Compliance Information

1. The outdoor play area was poorly equipped for outdoor play therefore limited play activities were available to the children.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

1. Purchase of equipment/materials to enhance fine and gross motor skills. Improvement of play area for greater enjoyment of activities. A regular budget will be provided for the upkeep and improvement of the area.

#### Supporting documentation submitted

1. Photographic evidence

### Summary Comment

The inspector has reviewed the action taken and evidence submitted. The non-compliance identified under Regulation 19 has been adequately addressed.

## Part VI - Safety

### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

### Compliance Information

#### General Safety:

- The external doors were secured on arrival to the service. A receptionist is present in the community centre to facilitate entry to the building. The main entrance door to the service was secured adequately to prevent children from exiting unsupervised and to prevent unauthorised access to the service. The children enter and depart the care rooms through individual doors in each of the preschool rooms to the side of the care rooms. Children's departure from the service was observed to be safely managed on the day of inspection. The two doors of the Sensory room were both secure.
- The two gates to the rear of the service which were accessible from the back of the sports hall and leads to a busy car park and field were closed and secure during the inspection.
- The pre-school children were supervised at all times during the session.

#### Infection Control:

- The premises, play equipment and materials were in a clean and hygienic condition
- Handwashing facilities for hand hygiene included warm water, dispensed liquid soap, and paper towels and children's hands were observed to be washed frequently throughout the day, for example before and after lunch, after outdoor play and after toilet visits.
- Pedal operated lidded bins were available for waste disposal.
- Food which is brought from home for lunch time was observed to be refrigerated to prevent spoiling of perishable items.

### Fire Safety:

- The two fire doors leading from the sports hall to the rear of the service, were not obstructed, allowing escape in the event of the building requiring evacuation.
- Monthly Fire Drills were carried out in the Rainbow room and the Sunshine room morning session and in the Sunshine room afternoon session.

### Non-Compliance Information

#### General Safety:

1. Garda vetting was available for one staff member. However, this vetting disclosure was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. Presses at low level and accessible to children in the Sunshine room were observed to be unlocked containing unsafe materials of cleaning agents, flour and oil which were not out of reach of children, leading to a safety risk of injury.
3. The door of the storeroom off the Rainbow room, was unlocked during the inspection, leading to a risk of safety.
4. In the Rainbow room in the morning and in the Sunshine room in the afternoon, staff belongings were accessible to the children, leading to a risk of injury.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. The Garda Vetting has been renewed. The employee checklist has been created which will be reviewed before every term to ensure compliance.
2. The Sunshine room presses now have locks which are safe at all times. Introduction of new locks and completion of the Risk Assessment Checklist will ensure future compliance.

3. A new chain lock purchased which is high on the door frame of the Rainbow-storeroom, out of reach of children ensures safety at all times. Introduction of new locks and completion of the Risk Assessment Checklist will ensure future compliance.
4. All Staff belongings are now securely locked in a press in the Rainbow Room, for morning & afternoon sessions. Introduction of new locks and completion of the Risk Assessment Checklist will ensure future compliance.

### **Supporting documentation submitted**

#### **General Safety:**

1. Renewed Garda Vetting and employee checklist.
2. Risk assessment checklist and photographic evidence.
3. Risk assessment checklist and photographic evidence.
4. Risk assessment checklist and photographic evidence.

### **Summary Comment**

The inspector has reviewed the action taken and evidence submitted. The non-compliances identified under Regulation 23 has been adequately addressed.

## Part VI - Safety

### **Regulation 25 - First aid**

*(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*

*(2) A registered provider shall ensure that a suitably equipped first aid box for children-*

*(a) is safely stored in an easily accessible and conspicuous position on the premises, and*

*(b) is available to the children attending the pre-school service at all times.*

### **Compliance Information**

- (2) (a) and (b) Suitably equipped first aid boxes were available and safely stored in easily accessible and conspicuous positions in the service.

### Non-Compliance Information

- (1) There was no adult in the service trained in First Aid Response available at all times to the children attending the pre-school. It is acknowledged that five staff were trained in Paediatric First Aid.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

- (1) First Aid Response training course booked for the manager and a staff member on 23 to 25 July 2025. A trained First Aid Staff member will be on the premises at all times for the safety of the children and will ensure training will be up to date.

#### Supporting documentation submitted

- (1) Evidence of First aid Response training course booked for 23 to 25 July 2025.

### Summary Comment

The inspector has reviewed the action taken and evidence submitted. The non-compliances identified under Regulation 25 has been adequately addressed. It will be reviewed on next inspection.

## Part VI - Safety

### Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
  - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
  - (c) an authorised person.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

### Compliance Information

- (1)(a) A written record was available of the fire drills completed in the service. The last recorded fire drill took place in the Rainbow room was the 6 May 2025, in the Sunshine room morning session was 28 April 2025 and in the Sunshine room afternoon session was 10 April 25.
- (b) A record was available of the number, type and maintenance of the firefighting equipment demonstrating it was last serviced on the 3 December 2024 and for the number, type and maintenance of the smoke alarms in the premises, which were last serviced on the 18 March 2025.

(4) Notices of the procedures to be followed in the event of fire were displayed in a conspicuous position in the premises.